



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5602

by Rep. Michael Unes

SYNOPSIS AS INTRODUCED:

210 ILCS 45/3-713.5

Amends the Nursing Home Care Act. Provides that if the Department of Public Health fails to provide a written explanation of the reason or reasons why evidence or arguments submitted for an informal dispute resolution were insufficient to refute the informal dispute resolution findings within 30 days of receiving the informal dispute resolution, then the alleged licensure violation shall be withdrawn from the official record and no penalty shall be imposed. Effective immediately.

LRB099 19007 MJP 43396 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Nursing Home Care Act is amended by changing
5 Section 3-713.5 as follows:

6 (210 ILCS 45/3-713.5)

7 Sec. 3-713.5. Informal dispute resolution. Pursuant to the
8 requirements of subsection (c) of Section 3-212 of this Act,
9 when a facility submits comments to licensure findings, it
10 shall be considered an informal dispute resolution if the same
11 findings were not submitted for an informal dispute resolution
12 pursuant to protocols for federal certification deficiencies
13 established by the federal Centers for Medicare and Medicaid
14 Services. The Department shall review documentation submitted
15 as the basis for an informal dispute resolution. If the
16 Department determines that the submitted evidence or arguments
17 were insufficient to refute the findings, then the Department
18 shall provide a written explanation of the reason or reasons
19 why the evidence or arguments were insufficient to refute the
20 finding. If the Department fails to provide a written
21 explanation of the reason or reasons why the evidence or
22 arguments were insufficient to refute the informal dispute
23 resolution findings within 30 days of receipt, the alleged,

1 disputed licensure violation shall be withdrawn from the
2 official record and no penalty shall be imposed.

3 (Source: P.A. 97-863, eff. 1-1-13.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.